

12-28-01

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1031 U.S. PTO

Please type a plus sign (+) inside this box [+]

PTO/SB/05 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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UTILITY PATENT APPLICATION TRANSMITTAL
(Only for new nonprovisional applications under 37 CFR 1.53(b))

1031 U.S. PTO
10/02/01
12/20/01

Attorney Docket No. 042390.P13349
(maximum 12 characters)

First Named Inventor Dominic Fulginiti

Title: METHOD AND APPARATUS FOR AUTOMATICALLY DETECTING MACHINE STATES DURING AN OPERATING SYSTEM INSTALLATION THROUGH A NETWORK

Express Mail Label No. EL867650225US

ADDRESS TO: **Assistant Commissioner for Patents**
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

- ☒ **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original, and a duplicate for fee processing)
- ☐ **Applicant Claims Small Entity Status. (37 CFR 1.27)**
- ☒ **Specification (Total Pages 27)**
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ **Drawings(s) (35 USC 113) (Total Sheets 9)**
- ☒ **Oath or Declaration (Total Pages 6)**
 - ☐ Newly Executed (Original or Copy)
 - ☐ Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - ☐ DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - ☒ Unsigned.
- ☐ **Application Data Sheet. (37 CFR 1.76)**
- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - ☐ Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies), or
 - ☐ paper
 - ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & documents(s))
10. ☐ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- ☐ b. Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ a. Information Disclosure Statement (IDS)/PTO-1449
- ☐ b. Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Express Mail Certification

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)
 Of Prior Application No.: ☐ Examiner ☐ Group Art Unit ☐
 (which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. ☐
 which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. ☐ (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
 For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that ☐ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. ☐ Frame No. ☐ (or a copy of which is attached).

19. Correspondence Address

☐ Customer Number or Bar Code Label ☐
 or (Insert Customer No. or Attach Bar Code Label here)

☒ Correspondence Address Below

NAME Christian A. Nicholes

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-9397

Name (PRINT/TYPE): Christian A. Nicholes Registration No.: P-50,266

Signature: *Christian Nicholes* Date: 20 DEC 2001

FEE TRANSMITTAL FOR FY 2002**TOTAL AMOUNT OF PAYMENT (\$)** \$1064.00**Complete if Known:**

Application No. New Patent Application
 Filing Date Herewith
 First Named Inventor Dominic Fulginiti
 Group Art Unit Not Yet Assigned
 Examiner Name Not Yet Assigned
 Attorney Docket No. 042390.P13349

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name Blakely, Sokoloff, Taylor & Zafman

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check
☐ Money Order
☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------------------|-------------------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 101 | 740 | 201 | 370 | Utility application filing fee | <u>740.00</u> |
| 106 | 330 | 206 | 165 | Design application filing fee | <u> </u> |
| 107 | 510 | 207 | 255 | Plant filing fee | <u> </u> |
| 108 | 740 | 208 | 370 | Reissue filing fee | <u> </u> |
| 114 | 160 | 214 | 80 | Provisional application filing fee | <u> </u> |

SUBTOTAL (1) \$ 740.00**2. EXTRA CLAIM FEES**

| | | Extra Claims | | Fee from below | | Fee Paid | |
|--------------------|----------|--------------|----------|----------------|--------------|----------|-------------------|
| Total Claims | | - 20** = | | X | | = | |
| <u>24</u> | | | <u>4</u> | X | <u>18.00</u> | = | <u>72.00</u> |
| Independent Claims | <u>6</u> | - 3** = | <u>3</u> | X | <u>84.00</u> | = | <u>252.00</u> |
| Multiple Dependent | | | | | | = | <u> </u> |

**Or number previously paid, if greater; For Reissues, see below.

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$ 324.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Fee Code</u> | <u>Fee (\$)</u> | <u>Fee Code</u> | <u>Fee (\$)</u> | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | _____ |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | _____ |
| 139 | 130 | 139 | 130 | Non-English specification | _____ |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | _____ |
| 099 | 8,800 | 099 | 8,800 | Request for inter parties reexamination | _____ |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | _____ |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | _____ |
| 115 | 110 | 215 | 55 | Extension for reply within first month | _____ |
| 116 | 400 | 216 | 200 | Extension for reply within second month | _____ |
| 117 | 920 | 217 | 460 | Extension for reply within third month | _____ |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | _____ |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | _____ |
| 119 | 320 | 219 | 160 | Notice of Appeal | _____ |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | _____ |
| 121 | 280 | 221 | 140 | Request for oral hearing | _____ |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | _____ |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | _____ |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | _____ |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | _____ |
| 143 | 460 | 243 | 230 | Design issue fee | _____ |
| 144 | 620 | 244 | 310 | Plant issue fee | _____ |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | _____ |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | _____ |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | _____ |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | _____ |
| 146 | 740 | 246 | 370 | For filing a submission after final rejection (see 37 CFR 1.129(a)) | _____ |
| 148 | 110 | 248 | 55 | Statutory Disclaimer | _____ |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (see 37 CFR 1.129(b)) | _____ |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | _____ |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | _____ |
| 195 | 300 | 195 | 300 | Publication fee for early, voluntary, or normal pub. | _____ |
| 196 | 300 | 196 | 300 | Publication fee for republication | _____ |
| 194 | 130 | 194 | 130 | Request for voluntary publication or republication | _____ |
| 098 | 130 | 098 | 130 | Processing fee under 37 CFR 1.17(i) (except provisionals) | _____ |
| 091 | 1,280 | 091 | 1,280 | Acceptance of unintentionally delayed claim for priority | _____ |

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$0

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Christian A. Nicholes

Signature: *Christian A. Nicholes* Date: 20 DEC 2001

Reg. Number: P-50,266 Telephone Number: (408) 720-8300

100239013349

"Express Mail" mailing label number: EL867650225US

Date of Deposit: December 20, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Carrie Boccaccini

(Typed or printed name of person mailing paper or fee)

Carrie Boccaccini

(Signature of person mailing paper or fee)

12-20-2001

(Date signed)

Serial/Patent No.: **** Filing/Issue Date: Herewith
Client: Intel Corporation
Title: METHOD AND APPARATUS FOR AUTOMATICALLY DETECTING MACHINE STATES DURING AN OPERATING SYSTEM INSTALLATION THROUGH A NETWORK
BSTZ File No.: 042390.P13349 Atty/Secty Initials: CAN/cab
Date Mailed: December 20, 2001 Docket Due Date: ****
The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:
☐ Amendment/Response (____ pgs.)
☐ Appeal Brief (____ pgs.) (in triplicate)
☒ Application - Utility (27 pgs., with cover and abstract)
☐ Application - Rule 1.53(b) Continuation (____ pgs.)
☐ Application - Rule 1.53(b) Divisional (____ pgs.)
☐ Application - Rule 1.53(b) CIP (____ pgs.)
☐ Application - Rule 1.53(d) CPA Transmittal (____ pgs.)
☐ Application - Design (____ pgs.)
☐ Application - PCT (____ pgs.)
☐ Application - Provisional (____ pgs.)
☐ Assignment and Cover Sheet
☒ Certificate of Mailing
☒ Declaration & POA (6 pgs.) (**unsigned**)
☐ Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.)
☒ Drawings: 9 # of sheets includes 9 figures
☒ Express Mail No.: EL867650225US ☒ Check No. 47159
☐ _____ Month(s) Extension of Time Amt: \$1064.00
☐ Information Disclosure Statement & PTO 149 (____ pgs.) ☐ Check No. _____
☐ Issue Fee Transmittal Amt: _____
☐ Notice of Appeal
☐ Petition for Extension of Time
☐ Petition for _____
☒ Postcard
☐ Power of Attorney (____ pgs.)
☐ Preliminary Amendment (____ pgs.)
☐ Reply Brief (____ pgs.)
☐ Response to Notice of Missing Parts
☐ Small Entity Declaration for Indep. Inventor/Small Business
☒ Transmittal Letter, in duplicate
☒ Fee Transmittal, in duplicate

☐ Other: _____

